

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DEBORAH TAVERNER,

USDC SDNY
DOCUMENT
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DATE FILED: <u>2/1/2022</u>

Plaintiff,

-against-

21 Civ. 6345 (CM)(SN)

INTERNATIONAL BUSINESS MACHINES  
CORP.,

Defendant.

X

NOTICE OF RECUSAL

McMahon, J.:

This case was assigned to the undersigned by lot on July 28, 2021.

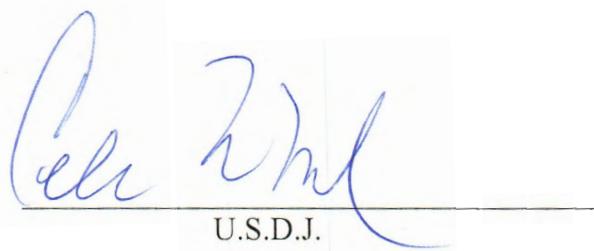
A conflict check performed at the time of assignment did not reveal any basis for recusal.

On September 22, 2021, the court so ordered a scheduling order to which the parties had stipulated (Docket #10). On the same date, the court granted a letter motion extending the defendant's time to answer (Docket #11). On November 1, 2021, the court granted a letter motion to file certain papers under seal (Docket #19). On December 14, 2021, the court granted a letter motion to file additional papers under seal (Docket # 32). A fully briefed motion to dismiss is presently pending, but the court has not yet looked at the papers.

I was told last week that my husband purchased shares in IBM on December 21, 2021. I am, therefore, recusing myself from this case. The Clerk of Court is directed to wheel the case out to a new judge immediately.

Because my husband did not own shares in IBM on the dates on which the orders listed above were entered, there is no need to vacate any of them, as there was no conflict when the orders were entered.

Dated: February 1, 2022



Peter W. McSwain

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U.S.D.J.

BY ECF TO ALL COUNSEL